

Serial No. 10/783,668

Attorney Docket No. IS01442ESG

REMARKS/ARGUMENTS

Claims 1 through 13 and 15 through 18 remain in this application. Claims 1 and 15 have been amended.

Claims 1 through 3, 7, 8, and 10 through 13 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,675,524 to Coleman ("Coleman patent"). Claim 3 is rejected under 35 U.S.C. §103(a) as being unpatentable over the Coleman patent in view of U.S. Patent No. 4,077,287 to Makeev, et al. ("Makeev, et al. patent"). Claims 5 and 6 are rejected under 35 U.S.C. §103(a) as being unpatentable over the Coleman patent in view of U.S. Patent No. 5,135,208 to Diskin ("Diskin patent"). Claim 9 is rejected under 35 U.S.C. §103(a) as being unpatentable over the Coleman patent in view of U.S. Patent No. 1,164,658 to Matych ("Matych patent"). Claims 15, 16 and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over the Coleman patent in view of the Diskin patent.

Claim 1 provides, *inter alia*, a machine for removing debris from battery cells wherein when a battery cell having a pair of metal debris on at least one surface of the battery cell is inserted into the means for holding a battery cell, and the cutting means is actuated, the at least one blade passes across the at least one surface of the battery cell thereby removing the pair of metal debris from the battery cell. Support for the above added recitation is provided at page 7, lines 5 through 14, of the specification. In contrast, the Coleman patent, the Makeev, et al. Patent, the Diskin patent and the Matych patent do not describe or suggest a machine for removing debris from battery cells wherein when a battery cell having a pair of metal debris on at least one surface of the battery cell is inserted into the means for holding a battery cell, and the

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cutting means is actuated, the at least one blade passes across the at least one surface of the battery cell thereby removing the pair of metal debris from the battery cell, as required by claim

1. Therefore, claim 1 distinguishes patentably from the Coleman patent, the Makeev, et al. Patent, the Diskin patent, the Matych patent, and any combination of these patents.

Claim 15 provides, *inter alia*, a machine for removing debris from battery cells wherein when a battery cell having a pair of metal debris on at least one surface of the battery cell is inserted into the recess for holding the battery cell, and the moveable cutting means is moving, the at least one blade travels parallel to the top surface of the cutting means thereby removing the pair of metal debris from the battery cell. Support for the above added recitation is provided at page 7, lines 5 through 14, of the specification. In contrast, the Coleman patent, the Makeev, et al. Patent, the Diskin patent and the Matych patent do not describe or suggest a machine for removing debris from battery cells wherein when a battery cell having a pair of metal debris on at least one surface of the battery cell is inserted into the recess for holding the battery cell, and the moveable cutting means is moving, the at least one blade travels parallel to the top surface of the cutting means thereby removing the pair of metal debris from the battery cell, as required by claim 15. Therefore, claim 15 distinguishes patentably from the Coleman patent, the Makeev, et al. Patent, the Diskin patent, the Matych patent, and any combination of these patents.

Claims 2 through 13 and 16 through 18 depend from and include all limitations of independent claims 1 and 15 as amended. Therefore, claims 2 through 13 and 16 through 18 distinguish patentably from the Coleman patent, the Makeev, et al. Patent, the Diskin patent, the

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Matych patent, and any combination of these patents for the reasons stated above for independent claims 1 and 15.

In view of the above, reconsideration and withdrawal of the above rejections of claims 1 through 13 and 15 through 18 are respectfully requested.

CONCLUSION

For the above reasons, Applicants believe the specification and claims are now in proper form, and that the claims all define patentably over the prior art. Applicants respectfully submit that this application is now in condition for allowance. Should the Examiner have any questions or comments, the Examiner is cordially invited to telephone the undersigned Attorney of record to expedite the prosecution of this case.

Respectfully submitted,
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